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7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9

10 JOHN TENNISON,

11 Plaintiff,

12 v.

13 CITY AND COUNTY OF
14 SAN FRANCISCO; SAN FRANCISCO
POLICE DEPARTMENT; PRENTICE EARL
15 SANDERS; NAPOLEON HENDRIX; and
GEORGE BUTTERWORTH,

16 Defendants.
17

Case No. C 04-00574 CW

Consolidated with
Case No. C 04-01643 CW

**ORDER GRANTING STIPULATION
AND SCHEDULE FOR CONTINUED
JORDAN DEPOSITION, TENNISON'S
SURREPLY, AND A NEW HEARING
DATE**

RECITAL

On October 27, 2005, this Court granted Tennison's request to take additional depositions and to file a surreply regarding the pending summary judgment motions regarding municipal liability. On November 16, 2005, this Court granted the parties' stipulated schedule for these depositions and the surreply and set a hearing on the motions for January 20, 2006 at 10:00 a.m. During the course of Frank Jordan's deposition taken pursuant to the November 16th Order, a dispute arose as to the scope of permissible testimony. Following briefing by Tennison and the City, on November 28, 2005, this Court entered an Order Denying Tennison's Motion for Clarification of the Court's October 27, 2005 Order and Instructing Defendant to Allow Additional Questioning.

The City informed Tennison that Frank Jordan is not available for additional questioning until early January 2006 and the parties met and conferred and agreed to the following revised schedule.

STIPULATION

Having met and conferred, the parties agree to the following proposal:

1. The continuation of Frank Jordan's deposition will be on January 5, 2006.
2. Tennison will file his Surreply on January 13, 2006.
3. The hearing on the motions for summary judgment on municipal liability will be rescheduled for 10:00 a.m. on Friday, February 3, 2006. A case management conference will follow the motions hearing.

Dated: December 13, 2005

KEKER & VAN NEST, LLP

By: /s/ Steven P. Ragland
 STEVEN P. RAGLAND
 Attorneys for Plaintiff
 JOHN TENNISON

1 Dated: December 13, 2005

MOSCONE, EMBLIDGE & QUADRA, LLP

2
3 By: /s/ James A. Quadra
JAMES A. QUADRA
4 Attorneys for Defendants
PRENTICE EARL SANDERS and
5 NAPOLEON HENDRIX

6 Dated: December 13, 2005

DENNIS J. HERRERA, City Attorney
7 SCOTT WIENER, Deputy City Attorney
SHERRI SOKELAND KAISER, Deputy City
8 Attorney

9 By: /s/ Sherri Sokeland Kaiser
SHERRI SOKELAND KAISER
10 Attorney for Defendants
GEORGE BUTTERWORTH and
11 CITY AND COUNTY OF SAN FRANCISCO

12 Dated: December 13, 2005

THE SCOTT LAW FIRM

13
14 By: /s/ John Houston Scott
JOHN HOUSTON SCOTT
15 Attorneys for Plaintiff
ANTOINE GOFF

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ORDER

GOOD CAUSE appearing, it is HEREBY ORDERED that the parties' proposed schedule regarding depositions and Tennison's surreply is adopted and the Court will hear argument on the pending motions for summary judgment regarding municipal liability on **February 3, 2006, @ 10:00 a.m.** A case management conference will follow the motions hearing.

IT IS SO ORDERED.

Dated: 12/15/05

/s/ CLAUDIA WILKEN

THE HONORABLE CLAUDIA WILKEN
UNITED STATES DISTRICT JUDGE